

**IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**JOLENE K. YOUNGERS,
AS PERSONAL REPRESENTATIVE OF THE
WRONGFUL DEATH ESTATE OF ROXSANA
HERNANDEZ,**

Plaintiff,

v.

1:20-cv-00465 JAP-JHR

**MANAGEMENT & TRAINING CORPORATION,
LASALLE CORRECTIONS TRANSPORT LLC,
LASALLE CORRECTIONS WEST LLC,
LASALLE MANAGEMENT COMPANY LLC,
GLOBAL PRECISION SYSTEMS LLC,
TRANSCOR AMERICA LLC,
CORRECTIVE, INC,**

Defendants.

and

GLOBAL PRECISION SYSTEMS, LLC,

Third-Party Plaintiff,

v.

ASSET PROTECTION AND SECURITY SERVICES, L.P.

Third-Party Defendant.

**THIRD-PARTY COMPLAINT AGAINST ASSET
PROTECTION AND SECURITY SERVICES, L.P.**

DEFENDANT/THIRD-PARTY PLAINTIFF, Global Precision Systems, LLC, through its counsel of record, Madison, Mroz, Steinman, Kenny & Olexy, P.A., (Gregory D. Steinman) for its Third-Party Complaint against Asset Protection and Security Services, L.P., states as follows:

1. The Court has jurisdiction over the Parties to this Third-Party Complaint.
2. The Court has jurisdiction over the subject matter of this Third-Party Complaint.

3. Venue for this Third-Party Complaint is appropriate in this Court.

4. Pursuant to Fed.R.Civ.P. 14(a)(1), Asset Protection and Security Services, L.P. is liable to Global Precision Systems, LLC (“GPS”) for all or part of the claims against GPS.

5. The bringing of this Third-Party Complaint does not amount to an admission of any allegation of the Plaintiff.

COUNT I – APPORTIONMENT OF FAULT

6. GPS incorporates by reference the allegations of paragraphs 1 through 5.

7. GPS entered into a subcontract with Asset Protection and Security Services, L.P. (“Asset Protection”), pursuant to which Asset Protection would provide certain services relative to the El Paso Services Processing Center.

8. Pursuant to that agreement, Asset Protection transported Roxsanna Hernandez and others from El Paso to Albuquerque on May 16, 2018.

9. Plaintiff seeks to hold GPS liable for alleged acts and omissions committed by the employees of Asset Protection while transporting those persons.

10. To the extent plaintiff succeeds in holding GPS liable, it will be, in whole or part, by virtue of the alleged acts and omissions of Asset Protection.

11. By reason of the foregoing and pursuant to Fed.R.Civ.P. 14, any fault attributed to Third-Party Defendant’s acts or omissions should be allocated to Asset Protection and GPS should have no liability for those acts and omissions.

COUNT II – INDEMNITY AND CONTRIBUTION

12. GPS incorporates by reference the allegations of Paragraphs 1 – 11.

13. GPS entered into a subcontract with Asset Protection in which Asset Protection agreed to indemnify GPS for any claims or damages that resulted from the acts or omissions of Asset Protection.

14. Asset Protection has indemnity and contribution obligations to GPS under state and federal common law and statutory law.

15. Without limiting the scope of this allegation, if GPS is found liable for any act or omission of Asset Protection, it is entitled to indemnity and contribution under New Mexico, Texas and Federal laws pertaining to contribution, proportional indemnity, traditional indemnity and contractual indemnity.

WHEREFORE, GPS requests that Asset Protection be added as a party for the purpose of fault assessment, that the Court enter an Order that Asset Protection must defend and indemnify GPS and that the Court award GPS such other and further relief as it deems just and proper.

Respectfully submitted,

Madison, Mroz, Steinman,
Kenny & Olexy, P.A.

By: /s/ Gregory D. Steinman
Gregory D. Steinman
P.O. Box 25467
Albuquerque, NM 87125-5467
(505) 242-2177
gds@madisonlaw.com
Attorneys for Defendant
Global Precision Systems, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of May 2021, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by

electronic means, as more fully reflected on the notice of electronic filing.

Daniel Yohalem
Attorney at Law
1121 Paseo de Peralta
Santa Fe, NM 87501
(505) 983-9433
dyohalem@aol.com
Attorney for Plaintiff

Katherine Murray
Attorney at Law
P.O. Box 5266
Santa Fe, NM 87502
(505) 670-3943
kemurraylaw@gmail.com
Attorney for Plaintiff

Dale Melchert *Pro Hac Vice*
Lynly Egyes *Pro Hac Vice*
Transgender Law Center
P.O. Box 70976
Oakland, CA 94612
(510) 380-8229
dale@transgenderlawcenter.org
lynly@transgenderlawcenter.org
Attorney for Plaintiff

R. Andrew Free *Pro Hac Vice*
The Law Office of R. Andrew Free
P.O. Box 90568
Nashville, TN 37209
(844) 321-3221
andrew@immigrantcivilrights.com
Attorney for Plaintiff

Kimberly A. Evans *Pro Hac Vice*
Forthcoming
Irene Lax *Pro Hac Vice* *Forthcoming*
Grant & Eisenhofer P.A.
123 Justison Street, 7th Floor
Wilmington, DE 19801
(302) 622-7086
levams@gelaw.com
ilax@gelaw.com
Attorney for Plaintiff

Adam D. Rafkin
Adam D. Rafkin, P.C.
P.O. Box 1912
Ruidoso, NM 88355
(575) 257-0129
adr@rafkinlaw.com
Attorney for Defendant
LaSalle Corrections Transport LLC,
LaSalle Corrections West LLC, and
LaSalle Management Company, LLC

Daniel P. Struck
Jacob B. Lee
Struck Love Bojanowski & Acedo, PLC
3100 West Ray Road, Suite 300
Chandler, AZ 85226
(480) 420-1600
dstruck@strucklove.com
jlee@strucklove.com
Attorneys for Defendants TransCor America,
LLC and Core Civic, Inc.

Deborah D. Wels
Debra J. Moulton
Kennedy, Moulton & Wells, P.C.
2201 San Pedro NE, Bldg 3, Suite 200
Albuquerque, NM 87110
(505) 884-7887
dwells@kmwpc.com
dmoulton@kmwpc.com
Attorneys for Defendants TransCor America,
LLC and Core Civic, Inc.

Christina Muscarella Gooch
Alison K. Goodwin
Sutin, Thayer & Brown, P.C.
PO Box 1945
Albuquerque, NM 87103
(505) 883-2500

tmg@sutinfirm.com

akg@sutinfirm.com

*Attorneys for Defendant Management &
Training Corporation*

/s/ Gregory D. Steinman

Madison, Mroz, Steinman, Kenny & Olexy, P.A,